

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CRIMINAL PRODUCTIONS, INC.	)	
	)	
Plaintiff,	)	Case No.: 16-cv-5513
	)	
v.	)	
	)	Judge James B. Zagel
DOES 1-11,	)	
	)	
Defendants.	)	

**INITIAL STATUS REPORT**

Plaintiff's counsel submits this Status Report relating to the initial status hearing set for Tuesday, August 12, 2016 at 9:15 a.m., solely prepared by Plaintiff's counsel because no counsel for a Defendant has filed an appearance. The Court's attention is directed, in particular, to Section 2.

1. Nature of the Case

- a. Attorneys of Record. Plaintiff's attorneys of record are Michael A. Hierl, Todd S. Parkhurst and Mark A. Cisek.
- b. Basis of Federal Jurisdiction. This Court has subject matter jurisdiction over Plaintiff's claims for copyright infringement pursuant to 17 U.S.C. §101 et seq. and 28 U.S.C. §§1331 and 1338(a).
- c. Plaintiff's Claims. Plaintiff alleges that Defendants infringed its exclusive rights in the copyrighted motion picture at issue by computer-based peer-to-peer file transfer. In particular, Plaintiff alleges that Defendants used a BitTorrent file transfer protocol to reproduce and distribute the copyrighted motion picture to and among third parties. No answer has been filed and no counterclaims are pending.
- d. Major Legal and Factual Issues. Whether or not each Defendant has infringed the federally registered copyright in the copyrighted motion picture at issue and the appropriate damages for that infringement.

e. Relief Sought by Plaintiff. Judgment against Defendants for willful violation of Plaintiff's federally registered copyright, actual or statutory damages, an order of impoundment concerning all infringing copies of Plaintiff's copyrighted work in Defendants' possession or control, attorney fees, litigation expenses and costs, and such further declaratory and injunctive relief as may be just and proper.

2. Motions and Case Plan

a. Motions.

Plaintiff's Motion for Leave to Take Discovery Prior to Rule 26(f) Conference was granted on June 28, 2016. A subpoena was served on July 11, 2016 on the relevant Internet Service Provider (ISP), and Plaintiff is awaiting compliance. No motions are pending.

b. Discovery. As referenced above, Plaintiff issued a subpoena to Comcast which was served on July 11, 2016 requesting the names and addresses of Does 1-11. Comcast has not yet complied.

A status hearing is scheduled for August 12, 2016 at 9:15 a.m. Because Comcast is not expected to provide subscriber information until sometime in mid- to late-August and in view of the limited information to report at this point, the Court may want to consider resetting the August 12 status hearing to a date in early to mid-September.

c. Trial. Plaintiff has requested a jury trial, which would probably last 2-4 days.

3. Consent to Proceed Before a Magistrate Judge

Plaintiff consents to proceeding before a Magistrate Judge. However, no counsel for any Defendant has filed an Appearance.

Respectfully submitted,

Dated: August 10, 2016

CRIMINAL PRODUCTIONS, INC.

By: s/ Michael A. Hierl  
Michael A. Hierl (Bar No. 3128021)  
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Attorneys for Plaintiff  
Criminal Productions, Inc.

**CERTIFICATE OF FILING**

The undersigned attorney hereby certifies that a true and correct copy of the foregoing Initial Status Report was filed electronically with the Clerk of the Court and served on all counsel of record and interested parties via the CM/ECF system on August 10, 2016.

s/Michael A. Hierl